

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

SHAWN REAVES on behalf of
him and others similarly situated,

Plaintiff,

VS.

Case No.: 3:05-CV-00900-F

WILDCAT INVESTMENTS, LLC,
AND B&B FOODS, L.L.C.

Defendants.

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), the parties held a planning meeting by telephone and electronic correspondence on January 4 and 9, 2006. These meetings were attended by:

Maury S. Weiner, Esq. and Kell A. Simon, Esq. for Plaintiff Shawn Reaves
Isham R. Jones, III, Esq. for Defendant Wildcat Investments, LLC and Defendant
B&B Foods, LLC

2. Pre-Discovery Disclosures. The parties have not exchanged the information required by Fed. R. Civ. P. 26(a)(1). The parties have agreed to exchange the information required by January 30, 2006.

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: Plaintiffs claims and all defenses asserted by Defendant.

All discovery commenced in time to be completed by October 2, 2006.

Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.

No numerical limit on requests for production by each party to any other party.
Responses due 30 days after service.

No numerical limit on requests for admissions by each party to any other party.
Responses due 30 days after service.

Depositions shall be limited to a maximum of 7 hours unless extended by

agreement of parties. The parties anticipate taking no more than 10 depositions each.

Reports from retained experts under Rule 26(a)(2) due:

from Plaintiff by August 2, 2006.
from Defendant by September 4, 2006.

Supplementations under Fed. R. Civ. P. 26(e) are to be made at appropriate intervals and seasonably upon learning of the need to supplement earlier disclosures or discovery responses.

4. Other Items.

The parties do not request a conference with the Court before entry of the scheduling order.

Plaintiff should be allowed until June 1, 2006 to file a motion for collective action certification or to facilitate notice to potential opt-in plaintiffs. Should any motion for collective action certification or to facilitate collection action notice be granted, the parties request the opportunity to propose a supplemental scheduling order.

Plaintiff should be allowed until July 14, 2006 to join additional parties and to amend the pleadings.

Defendant should be allowed until August 14, 2006 to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by September 1, 2006.

Settlement cannot be evaluated prior to initial discovery.

The usefulness of Alternative Dispute Resolution procedures cannot be evaluated until after the completion of some discovery.

The parties request a final pretrial conference.

Final lists of witnesses and exhibits under Fed. R. Civ. P. 26(a)(3) should be due

from Plaintiff by 30 days before trial.
from Defendant by 30 days before trial.

Parties should have 15 days after service of final lists of witnesses and exhibits to list objections under Fed. R. Civ. P. 26(a)(3).

The case should be ready for trial during the _____ 2006 Montgomery jury trial term, and at this time is expected to take 3 days.

Dated: January 9, 2006

**SHAWN REAVES on behalf of
him and others similarly situated**

s/ **Kell A. Simon**
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Maury S. Weiner (WEI021)
Kell Simon (SIM061)
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ATTORNEYS FOR PLAINTIFF

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and B&B FOODS, L.L.C.**

s/ **Isham R. Jones, III**
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ATTORNEYS FOR DEFENDANTS